

Please substitute the attached pages 32-40, now including SEQ ID NO: 29 and SEQ ID NO: 30, in place of the pages 32-39 filed with the sequence listing in this application on September 26, 2002.

Please amend the present specification as follows (see the attached Appendix for the changes made to effect the below revisions to the specification):

Paragraph at page 24, starting at line 17

D2
C3

	3b	103b
3W	5' -AATTCTCCTATTCTCTAGAAAGTATAGGAA- 3' (SEQ ID NO: 29)	
	3' -AGCTTTCCTATACTTTCTAGAGAATAGGAG- 5' (SEQ ID NO: 30)	
	103a	3a

IN THE CLAIMS:

Please amend claims 1, 3, 4 and 7 as follows (see the attached Appendix for the changes made to effect the below claims):

C4

Claim 1. (Amended) A DNA construct comprising:

- (1) a selective marker gene,
- (2) a galactose-inducible growth inhibition sequence,
- (3) a pair of FRT (Flp recombinase recognition target) sequences in the same orientation flanking (1) and (2), and
- (4) a DNA fragment capable of recombining with a yeast chromosomal

DNA located at each end of (3),

wherein said FRT sequences contain the following sequence:

5'-GAAGTTCCTATAC TTTCTAGA GAATAGGAACTTC-3' (SEQ ID NO: 1)

inverted spacer inverted
repeat (1) sequence repeat (2)

or a sequence substantially identical to said sequence,

provided that in each member of said pair of FRT sequences, the inverted repeat distal from the flanked selective marker gene and growth inhibition sequence has at least one but no more than six nucleotides deleted on the side distal from the spacer sequence.

C4
conc'd

C5

Claim 3. (Amended) A method for transforming a yeast of the genus *Saccharomyces*, comprising:

(1) transferring the DNA construct of claim 1 into yeast cells to integrate said DNA construct into a yeast chromosome by recombination between the two DNA fragments and the yeast chromosomal DNA,

112/2 lack of cont
to claim 1

(2) selecting yeast cells transfected with said DNA construct based on the expression of the selective marker gene contained in said DNA construct,

(3) culturing said cells in a non-selective medium to induce recombination between the pair of FRT sequences contained in said DNA construct, thereby excising the selective marker gene, and

(4) culturing said cells in a medium containing galactose to select growable yeast cells.

Claim 4. (Amended) The method of claim 3 wherein said DNA construct

C5
further comprises a gene of interest between said DNA fragment and said FRT sequence adjacent to said fragment.

C6
Claim 7. (Amended) A method for producing a beer comprising the following steps:

adding the yeast of the genus *Saccharomyces* of claim 6 to wort, and fermenting said wort containing the yeast.

Please add new claims 9 and 10 as follows:

C7
Claim 9. A DNA construct comprising:

(1) a selective marker gene,
(2) a galactose-inducible growth inhibition sequence,
(3) a pair of FRT (Flp recombinase recognition target) sequences in the same orientation flanking (1) and (2), and

(4) a DNA fragment capable of recombining with a yeast chromosomal DNA located at each end of (3),

wherein said FRT sequences contain the following sequence:

5'-GAAGTTCCTATAC TTTCTAGA GAATAGGAACTTC-3' (SEQ ID NO: 1)

inverted spacer inverted

repeat (1) sequence repeat (2)

or a sequence obtained by substituting or deleting one or several nucleotides of said sequence defined above,

provided that in each member of said pair of FRT sequences, the inverted repeat distal from the flanked selective marker gene and growth inhibition sequence has